



Town of Clifton Park

ENVIRONMENTAL CONSERVATION COMMISSION

*Protecting today's environment for the next generation...*



TOWN SUPERVISOR:

Philip C. Barrett

ECC CHAIR:

Brian Glick

ECC ATTORNEY:

Joel Peller

STORMWATER MANAGEMENT TECHNICIAN:

Scott Reese

TOWN LIAISON:

Sanford Roth

MEMBERS:

Raoul Desy

Brian Glick

Dan Mathias

Karl Siverling

James Ruhl

Keith Martin

Mary Anne Mariotti

## FINAL

MINUTES: **Tuesday, June 5<sup>th</sup>, 2018**

CALL TO ORDER: Brian Glick, called the meeting to order at 7:00 PM in Conf. Room C.

PRESENT: Dan Mathias, Scott Reese, Brian Glick, Karl Siverling, Raoul Desy, Mary Anne Mariotti, Keith Martin, James Ruhl

ABSENT: Sandy Roth

### ANNOUNCEMENTS:

- Next meeting: The next ECC meeting will be **Tuesday, June 19<sup>th</sup>, 2018** at 7 PM in Town Hall, Conference Room C
- Scott Reese, Stormwater Management Technician was present to explain the project applications
  - o Scott Reese reviewed the previous Planning Board meeting.
- ZBA – 5 Project received – 2 to review

### Zoning Board -

#### Variance # 81168 Northway Church

Applicant requests several sign variances.

### **Recommendations:**

1. **The ECC recommends the applicant have the proposed signage conform with the existing code. The Ushers Road corridor is the gateway to the residential neighborhood. Previously implemented light industrial businesses have conformed with the Towns signage code. There are numerous businesses in the area that operate successfully without the need for enlarged signage. The approval of these variances will alter the essential character of the neighborhood.**

2. **The applicant's facility is clearly visible from Ushers, Pierce, and Van Patton Drive. Hence there is no visibility hardship which requires the remedy of these variances.**
3. **The application for variance is supported by bare conclusory statements unsupported by any reasonable articulation of how the application meets the standards of review.**
4. **The alleged hardship is self-created as noted in their application.**
5. **The ZBA can achieve the benefits sought by the applicant by alternate methods that fall within the existing code.**

A **motion** to adopt these statements was made by Dan Mathias, seconded by Mary Anne Mariotti; all in favor, none opposed.

**Variance # 81173 49 Bradt Road**

Applicant wishes to divide existing duplex into two separate properties for financial reasons. Subdivision results in two non-conforming lots. Lots will be 0.94 acres and 0.64 acres in size. Currently one septic and one water service for the duplex.

**Recommendations:**

1. **The ECC expresses the concerns of multiple residents able to share a singular septic system. In essence one failure produces two resident hardships. The property should show that it is capable of supporting two separate septic systems.**
2. **Severance of unity of ownership creates adverse effects physical or environmental conditions in the neighborhood. Dual ownership of a single septic system and water supply further compounds the issue of who's problem is it if either system fails.**
3. **There is no demonstrated hardship for this subdivision application.**
4. **The CR Zone clearly stipulates the following: The CR District allows one dwelling on parcels less than three acres and larger than 20,000 square feet. Under the CR District requirements, this subdivision is non-conforming and if approved would establish a precedent for any two-family dwelling constructed within the conservation residential zone in the future. This undermines the stated legislative intent of the western zone GEIS.**

A **motion** to adopt these statements was made by Keith Martin, seconded by Raoul Desy; all in favor, none opposed.

**Planning Board**

I. Public Hearings

**2013-022 Khan, Lands of Subdivision**

*Applicant proposes the construction of 6 single family residential lots and associated water, sewer and stormwater infrastructure. Water will be provided by an extension of the CPWA main located at he Meadow View Apartments. Sanitary Sewer will be provided by individual septic systems or connection to the Saratoga County Sewer District #1 system. Access to the lots will be provided by private and shared driveway, Waite Rd, Zoned: R-1, Status: PB Preliminary Review w/ possible Determination SBL: 270.-1-44*

To be reviewed by: MJE Consultant: Lansing Applicant: Khan

**Recommendations:**

- 1. The ECC requests that wetland signage and/or split rail fencing to be installed along the border of the ACOE wetlands.**
- 2. The planning board should require that the dedicated permanent open space deed restrictions be in perpetuity and so noted on any plat or plans submitted to the town.**

A **motion** to adopt these statements was made by Karl Siverling, seconded by Jim Ruhl; all in favor, none opposed.

II. Old Business –

**2016-031 DCG Town Plaza Drive Thru**

*Amendment: Applicant proposes to reverse the Drive Thru Lanes that were approved on 8/9/16.*

*Applicant proposes to renovate existing building 100 and reconfigure parking areas as needed to accommodate a drive thru restaurant use, Rt 146, Zoned: TC3, Status: PB Final Review SBL: 271.-3-33*

To be reviewed by: MJE Consultant: EDP Applicant: DCG

**Recommendations:**

- 1. Due to the probability of food and liquid wastes leaking from the on-site dumpster(s) into a storm water catch basin and/or surface water body, the ECC recommends the applicant enclose the area (i.e. roof) on an impervious surface with a berm surrounding the dumpster(s) that accept food and liquid wastes. If necessary, the Applicant will need to periodically pump out the accumulated wastes within the bermed area to avoid any overflow**
- 2. The ECC notes that the total greenspace percentage is not listed. The greenspace shall comply with The Town Center Bulk Standards Table and listed on the plans.**

3. **In keeping with the recommendations and goals of the Town Comprehensive Plan, the Applicant should use landscaping and grading to provide visual and auditory buffering between the project and adjacent roadways or other properties.**

A **motion** to adopt these statements was made by Raoul Desy, seconded by Dan Mathias; all in favor, none opposed.

**2017-021 Abele 14 Lot Subdivision and Duplex SUP**

*Applicant proposes construction of 14 Duplex Units on a public road to be connected to John J McKenna IV Way. After construction of the duplex buildings, each building will be subdivided down the common wall so each side can be individually owned. A homeowner association will own and maintain the roadway, Christinamarie Dr, Zoned: R-1, Status: PB Revised Concept Review*

SBL: 284.-1-10.21

To be reviewed by: MJE Consultant: ABD Applicant: Abele

**Recommendations:**

1. **Due to the existing topography there appears that significant grading will be necessary to provide buildable lots. Applicant shall include a grading plan for the R-1 zoned standard lot layout in order to assess the feasibility of this proposal.**
2. **The ECC is in agreement with the State Environmental Quality Review and Full Environmental Assessment Form comments by MJ Engineering, dated December 27, 2017.**
3. **Due to the Deed Restrictions on lots 21, 22, 23, 25 & 26, noted on the plan, the ECC recommends that these lots not be approved as configured, due to the potential environmental impacts and limited useable yard space.**
4. **The parcel (subdivision) is located in an area which may be impacted by interstate vehicular traffic activity. Impacts may include noise or vibration. The applicant should make note of this condition on each of the property deeds.**

A **motion** to adopt these statements was made by Dan Mathias, seconded by Raoul Desy; all in favor, none opposed.

**2017-035 Riggi Miller Road Subdivision**

*Applicant proposes the construction of 79 single family residential lots, new roads, and associated water, sewer and stormwater. The proposed lots will include carriage lots (10,000 sq ft min), executive lots (16,000 SF min) and estate lots (20,000 SF min.) Water and Sewer will connect to Clifton Park Water Authority and Saratoga County Sewer District #1. SBL 270.-2.32.112 and 270.-2-38.12 are also included., Miller Rd, Zoned: R-1, Status: PB Preliminary Review w/ possible SEQOR Determination*

SBL: 270.-2-51.2

To be reviewed by: MJE Consultant: Lansing Applicant: V&R, LLC

**Recommendations:**

1. **Building envelopes on lot 36, 54, & 55 encroaches into the LC Zone. The ECC strongly recommends that Lots 36, 54 & 55 shall be reconfigured so as to avoid encroachment into the NYSDEC Adjacent Area. It appears there is sufficient**

**unconstrained land that would enable these lots to be reconfigured and eliminate incursion of the building envelope into the LC Zone, thereby reducing the potential of environmental impact.**

- 2. The ECC recommends the applicant install signage along the entire border of the Conservation Areas (to be conveyed to the town) at a minimum of one sign per lot that is adjacent to the Conservation Area. In addition, signage should be installed in other areas of project site where Conservation Area exists adjacent to public property at 100-foot intervals.**
- 3. The ECC notes that the project is adjacent to an existing horse farm at the intersection of Miller Road and NYS Route 146. This project has the potential to change the visual character of the adjacent horse farm. As such the ECC recommends that the Applicant provide a visual screening to ensure that the aesthetic and unique character of this vista is maintained.**

A **motion** to adopt these statements was made by Mary Anne Mariotti, seconded by Karl Siverling; all in favor, none opposed.

### III. New Business –

#### **2018-031 Aqueduct Animal Hospital**

*Applicant proposes building a new animal hospital of approximately 8,500 +/- in size. There will be 57 parking spaces (30 banked spaces). Access to the site is proposed to create a shared entrance with Riverview Medical Professional Park. The site will be served by an existing water line through the CPWA and an existing sewer main through the Old Nott Farm Sewer District. Stormwater will be managed on site, Riverview Rd, Zoned: HM, Status: PB Concept Review SBL: 269.19-1-43*

To be reviewed by: MJE Consultant: Lansing Applicant: Matthew Pike

#### **Recommendations:**

- 1. The ECC requests the applicant to verify if any wetlands exist on the property on the next submittal.**
- 2. The ECC requests that the applicant to address any other EAF conditions on the property on the next submittal.**
- 3. The continuation of the multi-use trail along east side of NYS Route 146 should continue along Riverview Road along the south side in compliance with the Town's Trails Comprehensive Plan.**

A **motion** to adopt these statements was made by Dan Mathias seconded by Jim Ruhl; all in favor, none opposed.

#### **2018-030 Semenza-Miller Road In Law Apartment SUP**

*Applicant requests a Special Use Permit for a 2 Family Residence. It will be an addition to an existing house making it an in-law apartment., 363 Miller Rd, Zoned: R-1, Status: PB Concept Review SBL: 276.-2-42.1*

To be reviewed by: MJE Consultant: none Applicant: Chris Semenza

**Recommendations:**

- 1. The applicant shall provide sufficient information in order for the planning board and the ECC to determine whether the septic system is adequately sized for the proposed use.**
- 2. The applicant shall verify whether public water or private well is proposed.**
- 3. The applicant shall provide a statement as to whether as any NYSDEC or Federal Wetlands are on the property and provide an associated site plan.**

A **motion** to adopt these statements was made by Karl Siverling seconded by Mary Anne Mariotti; all in favor, none opposed.

**2018-032 Vistas West Subdivision Amendment 1**

*Applicant proposes to adjust lot lines to incorporate a newly acquired parcel into the already approved subdivision. Project #2015-039 Vistas West (aka Levy Subdivision), Rt 146, Zoned: CR, Status: PB Concept Review*

SBL: 270.-2-3.2

To be reviewed by: MJE Consultant: EDP Applicant: Kohler

**Recommendations:**

- 1. No comments at this time.**

A **motion** to adopt these statements was made by Dan Mathias seconded by Karl Siverling; all in favor, none opposed.

Discussion Items - none

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The meeting was adjourned at 9:55 PM.



Respectfully submitted,  
Brian Glick

cc: Clifton Park Town Clerk  
Planning Director (E-mail copy)  
Sanford Roth, Town Liaison (E-mail copy)